



# ARIZONA HOUSE OF REPRESENTATIVES

## HB 2421: national guard; employment rights

**PRIME SPONSOR:** Representative Andrade, LD 29

**BILL STATUS:** [House Engrossed](#)

**Legend:**

Guard – Arizona National Guard

Reserve – US Armed Forces Reserve

Amendments – **BOLD** and ~~Stricken~~ (Committee)

### **Abstract**

Relating to National Guard employment rights.

### **Provisions**

1. Extends employment rights regarding seniority and leave of absence from employment for military duty to members of the National Guard in any other state. (Sec. 1)
  - *Currently, these rights only apply to Guard and Reserve members ([A.R.S. § 26-168](#)).*
2. Makes technical and conforming changes. (Sec. 1)

### **Current Law**

An employer is prohibited from refusing to permit members of the Guard and Reserve to take a leave of absence from employment to comply with competent orders or to attend camps, maneuvers, formations or armory drills. The leave of absence may not affect vacation rights, with exceptions.

A member of the Guard or Reserve may not lose seniority or precedence while under competent military orders. Upon return to employment, the employee is required to be returned to the employee's previous position or a higher position commensurate with the employee's ability and experience.

An officer or employee of the state, or any department or political subdivision of the state, who is a member of the Guard or Reserve, is entitled to leave of absence without loss of time or efficiency rating on all days engaged in field training.

When ordered by the Governor to perform training or duty, a member of the Guard is required to have the same protections afforded by federal law to individuals on active duty ([A.R.S. § 26-168](#)).

☐ Prop 105 (45 votes)

☐ Prop 108 (40 votes)

☐ Emergency (40 votes)

☐ Fiscal Note